

**Draft**  
**CARNELIAN-MARINE-ST. CROIX WATERSHED DISTRICT**  
**Regular Meeting Minutes July 11, 2018**

**Managers Present:** Wade Johnson, Kristin Tuenge, Tom Polasik and Andy Weaver

**Managers Absent:** Dave De Vault and Eric Lindberg

**Others Present:** Jim Shaver (administrator), Susannah Torseth (Galowitz • Olson Law), Carl Almer and Stu Grubb (EOR), Mike Isensee (WCD), Paul Richert (CAC member) Rob and Bonnie Gelep, Jim Roussin and Jim Schoeller (residents) and Debbie Meister (MMC)

President Johnson called the meeting to order at 6:35 p.m.

**1) Approve Agenda**

**Manager Tuenge moved to approve the agenda as amended. Seconded by Manager Polasik. Motion passed 4-0.**

**2) Minutes from June 13, 2018**

**Manager Tuenge moved to approve the June 13, 2018 minutes as amended. Seconded by President Johnson. Motion passed 4-0.**

**3) Treasurer's Report**

Manager Tuenge presented the Treasurer's Report.

**President Johnson moved to accept the Treasurer's Report. Seconded by Manager Weaver. Motion passed 4-0.**

**4) Public Comments**

Rob Gelep of May Township introduced himself and his wife Bonnie. To the south of them is a five-acre site under construction. The construction was supposed to be completed at the end of June. There is runoff and erosion on their property caused by the construction that the Geleps have to maintain to protect their property. A culvert also has to be redone. The Geleps are trying to sell their house. Although there were 16 showing, there were no offers. They believe the condition of the road has turned people away. Photos were distributed. The easement agreement between the Geleps and their neighbor stated that damage due to construction traffic will be repaired by the owner benefiting from the construction.

Attorney Torseth stated that this is a private easement contract between the two parties.

Other issues: the District issued a permit and can look for permit violations; May Township issued a certificate of occupancy; the Geleps have tried to contact the township's attorney; and the permittee did not comply with the District's request to have the site graded and seeded by June 30. It was agreed that Administrator Shaver will photograph permit violations and tell Mr. Peters that he has 10 days to grade and seed the site. If not completed, the District's attorney will follow up with a letter.

**5) Agenda Items Subject to Public Comments**

**a) Groundwater Presentation**

Administrator Shaver stated that after the board workshop it was evident there were concerns about groundwater related to budget items. He asked Stu Grubb of EOR to address this. Mr. Grubb stated that groundwater is something the board should know about and effectively manage. Most watershed districts spend much on monitoring and managing surface water. To understand groundwater, you must monitor it over time. Managers asked about monitoring for quality, managing to protect groundwater and landlocked basins, and avoiding duplicating work done by other agencies. Mr. Grubb responded that contaminants are of emerging concern, but can be expensive to monitor. Monitoring for indicator contaminants, such as nitrate, is inexpensive and often is present if contamination is a problem. Washington County does some amount of nitrate monitoring by inviting residents to bring in samples. The District can do this and/or partner with the County, or be more proactive in sampling sites that are “suspect”. Identifying recharge areas and aquifers and recharge rates can be helpful in protecting groundwater. But it is a big job. Because so many agencies are responsible for parts of groundwater management, there is no complete picture. The county’s geology is unusual so groundwater can vary a lot.

Administrator Shaver stated that groundwater will be an issue as the management plan is updated. Past plans have just supported the County’s plan, without addressing management. The District, to a degree, knows its groundwater dependent natural resources. Mr. Grubb provided a budget to look strategically at groundwater without adding new wells. The board asked Mr. Grubb to revise the budget to add water quality.

**b) Budget Review**

Jim Schoeller and Jim Roussin introduced themselves as residents on Willow Brook. They requested that the District include a Willow Brook feasibility study to work with Minnesota Department of Transportation (MnDOT) to do rate reduction and infiltration in the MnDOT right-of-way. It was in past District budgets, but is not in the proposed 2019 budget. Administrator Shaver stated that about three or four years ago sedimentation issues were brought to the District. At that time, EOR provided a management plan. At a 2015 stakeholder meeting, residents indicated they think the source of the problem is Hwy 95—a MnDOT road. Residents did not want to mitigate a problem, but would rather go to the source. Mr. Almer provided an opinion back then and restated it: additional sedimentation to the basins from Hwy 95 is exacerbated by the naturally occurring sediments. The proposed management plan included in-stream improvements to restore trout habitat. Mr. Schoeller and Mr. Roussin stated that a core sample was done and it was silt. There are some simple things that can be done and citizens want to be involved, but District help is needed. Manager Polasik stated that there is the same problem on the next ravine to the south and remediation should include this ravine. If MnDOT agrees to work in the right-of-way, they should try to get an easement to get a bigger right-of-way. Further discussion: with a feasibility plan, outside funding might be possible; MnDOT might consider right-of-way projects with the District constructing and maintaining the projects; because the pond has been dredged, the Department of Natural Resources is likely to provide a dredging permit; there is a landowner receptive to providing an easement; and educating residents about the resource

and what they can do is important. It was agreed to discuss allocating \$10,000 for a feasibility study at the budget workshop.

## **6) Project Updates**

### **a) Marine Phase I**

Mr. Almer reported that the District and County agreed that most of the about 12 issues from Phase I projects were the contractor's responsibility. However, the District and County are still in dispute about three issues regarding which entity is responsible for fixing problems including piping along the intermediary structure at Pine and Robert, the iron enhanced sand filter east of Mill Stream and revegetation of bare areas.

### **b) Marine Ravine Phase II**

Administrator Shaver reported that staff has not had luck reaching out to residents for site access. He will touch base with another resident on an easement. Mr. Almer reported that he met with MnDOT a few weeks ago to ensure plans are being followed.

### **c) Goose Lake Landing IESF**

Attorney Torseth stated that there was a misunderstanding with Ms. St. Sauver about the amount of money being offered for the easement. She is working to clear this up. Administrator Shaver suggested providing an upfront payment for the full amount, rather than pay in installments.

### **d) Watershed Based Funding Projects**

Administrator Shaver reported that a list of projects—including the District's 133<sup>rd</sup> St./Panorama and Bliss Channel—was submitted by the County to the Board of Water and Soil Resources (BWSR).

### **e) 133<sup>rd</sup> St./Panorama**

A workshop with the May Township board is scheduled for July 12 at 8 p.m. at May Town Hall.

### **f) Long/Terrapin AIS Treatment**

Mr. Almer reported that the \$4,000 bill for treatment was paid. Residents have been positive about the treatment. A follow-up macrophyte survey will be done.

### **g) Long/Terrapin AIS Filter**

Attorney Torseth reported that the easement agreement was signed this evening and will be recorded tomorrow. Roger Rydeen will try to get construction done and it might make economic sense to have him do the Silver Creek project at the same time.

## **7) New Business**

### **a) Permits—Scandia Raingarden Maintenance**

President Johnson, on behalf of Scandia City Councilmember Christine Maefsky, asked about the District's review process regarding raingarden maintenance and the direction the District gives on projects. Administrator Shaver stated with -Rynders project both he and the resident met and agreed on site. Generally, with conditional project approval,

individuals get basic information. After the contract has been signed and during the process, he talks with the landscape designer and provides individuals with a raingarden design book. There is a Declaration for Maintenance that needs to be signed and returned. Once returned, the project is added to the WCD inspection list, with 1/3 of projects being inspected each year. With permits, sureties are not returned until inspections are completed. Generally, it is the landscape designer's role to inform the individual about maintenance. Administrator Shaver will respond to Councilmember Maefsky and will provide her with the Declaration for Maintenance.

**b) Cost Share—Srock Proposal**

Mr. Isensee summarized the Srock proposal to reconstruct a nonfunctioning waterway on 48 acres that drains to the St. Croix River. The project is estimated to remove 16.5 pounds of phosphorus at a total cost of approximately \$60,193 or \$3,648 per pound. WCD and St. Croix River Association have approved 66 percent of the funding. The District is being asked to provide funding for the shortfall of 34 percent. As per the board request, potential cost share projects were ranked using the cost share assessment form. The Srock projected was ranked the highest.

**Manager Tuenge moved to approve up to 34 percent for the Srock grassy waterway cost share not to exceed \$20,465. Seconded by Manager Polasik. Motion passed 4-0.**

**c) Silver Creek Maintenance Proposal**

Mr. Almer reported that, per the Board request, he and Kevin Biehn of EOR completed a visual assessment of Silver Creek from Fairy Falls to Fairy Pond. Overall, the reaches are in very good condition. He recommended that Reach 5 be considered for repair, with consideration of minor repair downstream between reaches 5 and 6 and one cross vein in Reach 7 be repaired. He suggested doing needed excavation at the same time as the Long/Terrapin AIS filter construction.

**Manager Weaver moved to authorize the repair work on Silver Creek as outlined in the June 29, 2018 EOR memo not to exceed \$5,000. Seconded by President Johnson. Motion passed 4-0.**

**d) Maintenance Agreement with Marine for IESF at Pine and Robert**

It was agreed to table this until a signed copy of the agreement is received from the City of Marine on St. Croix.

**8) Old Business**

**a) Status of Managers' Appointments/Re-appointments**

Administrator Shaver reported that the County has Manager Weaver's application for re-appointment. Paul Richert will be interviewed in August. President Johnson suggested managers and staff continue to recruit residents to fill vacant positions.

**b) Budget Review and Authorization to Publish Preliminary to Website**

Administrator Shaver summarized the changes since the budget workshop on June 27.

**President Johnson moved to add \$10,000 to the 2019 budget for a Willow Brook feasibility study. Seconded by Manager Tuenge. Motion passed 3-1, with Manager Weaver opposed.**

Administrator Shaver clarified that funds for the study would come from the focused watershed management line item, not the cost share. Also a designated trout stream takes on increased significance. Manager Tuenge stated that she hoped the District could get a grant in future years to actually do the Willow Brook project.

**President Johnson moved to authorize the administrator to post the 2019 proposed budget dated 7-11-2018, as herein revised, to the District's website and place a public notice of a public hearing on the proposed budget for August 8, 2018, in the District's newspaper. Seconded by Manager Polasik. Motion passed 4-0.**

**c) Big Marine SFR Request for Comments/Subsequent Action**

Administrator Shaver reported that the applicant for a single-family residence on Big Marine Lake discussed at the previous meeting has asked for an extension until the end of the year. He recommended getting more detailed findings and an agreement from the District Board before sending comments to Scandia.

**d) CMSCWD Plan Status Update—Evaluating Results in Current Plan**

Administrator Shaver summarized the spreadsheet showing eight years of expenses for District programs and projects as a way to evaluate the current plan. Other assessment tools are the pie chart used by Brown's Creek Watershed District and the scorecard developed by Mr. Almer for the plan amendment. Managers Weaver and Tuenge stated that the spreadsheet is helpful.

**9) Other Reports**

Administrator Shaver reported that:

- The County notified residents on Long Lake that property on the upper northwest quadrant of the lake has been offered to the county for purchase. May Township is holding a meeting to talk with residents about this on July 24. County Commissioner Miron plans to attend. Administrator Shaver asked the Board if the District should participate with financial assistance or maintenance. He noted that hunting, trapping and parking will be required on the public land.
- He and Managers Weaver and Johnson plan to attend a workshop with May Township regarding paving of Panorama.
- BSWR Clean Water grant applications are due on August 31. He will talk with Mr. Isensee and Mr. Almer about this on Monday.
- Consultants could be reappointed or appointed at the annual meeting on August 8.

**10) Pay Bills**

**Manager Polasik moved to pay the bills in the amount of \$110,631.10. Seconded by Manager Tuenge. Motion passed 4-0.**

**11) Next Meeting/Annual Meeting/Public Meeting for Budget – August 8 at 7:00 p.m.**

President Johnson thanked Joel Stedman for his service and insights as a manager and thanked Ms. Meister for her work.

**12) Adjourn**

**Manager Polasik moved to adjourn at 9:50 p.m. Seconded by President Johnson. Motion carried 4-0.**

Submitted by  
Debbie Meister, MMC Associates